

-----  
Seychelles – Tier 2  
-----

Seychelles is a source country for children subjected to sex trafficking and a destination country for foreign men and women subjected to labor and sex trafficking, respectively. Seychellois girls and, according to some sources, boys are induced into prostitution—particularly on the main island of Mahe—by peers, family members, and pimps for exploitation in nightclubs, bars, guest houses, hotels, brothels, private homes, and on the street. Young drug addicts are also vulnerable to being forced into prostitution. Foreign tourists, sailors, and migrant workers contribute to the demand for commercial sex in Seychelles. Eastern European women have been subjected to forced prostitution in private homes. Migrant workers—including those from China, Kenya, Madagascar, and various countries in South Asia—make up 20 percent of the working population in Seychelles and are primarily employed in the fishing and construction sectors. Migrant workers are subjected to forced labor in the construction sector. NGOs report migrant workers face exploitative conditions in fish processing plants, and fishermen aboard foreign-flagged fishing vessels in Seychelles’ territorial waters and ports are subjected to abuses indicative of forced labor, including nonpayment of wages and physical abuse.

The Government of Seychelles does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government adopted anti-trafficking legislation and began implementation of the 2014-2015 national action plan. The national anti-trafficking committee, in collaboration with international donors, began the development of a victim assistance tool and conducted an extensive national awareness campaign on trafficking. However, the government did not report any prosecutions or convictions of trafficking offenders and did not identify any trafficking victims. The government deports migrant workers working for state-owned or private companies for participating in strikes to protest poor employment conditions without conducting comprehensive investigations and screenings to identify if the individuals were victims of forced labor.

**RECOMMENDATIONS FOR SEYCHELLES:**

Use the newly adopted anti-trafficking legislation to investigate and prosecute trafficking offenses and convict and punish trafficking offenders; amend the penal code to harmonize the duplicative and contradictory sections addressing sexual offenses—particularly those related to the exploitation of children in prostitution—to ensure the prohibition of and sufficiently stringent punishment for the

prostitution of all persons under 18 years of age and the forced prostitution of adults; provide specialized training to government officials—including members of the national committee on human trafficking, law enforcement officials, social workers, and labor inspectors—on how to identify victims of trafficking and refer them to appropriate services; implement the national action plan to combat human trafficking and dedicate appropriate resources towards its implementation; provide adequate resources to labor inspectors to conduct regular and comprehensive inspections of migrant workers' work sites and inform the migrant workers of their employment rights; institute a standardized contract governing the employment of domestic workers within private homes; and continue awareness campaigns on trafficking to increase the understanding of the crime among the local population and the large number of foreign tourists and migrant workers entering the country.

## PROSECUTION

The government demonstrated limited law enforcement efforts. The Prohibition of Trafficking in Persons Act of 2014 prohibits all forms of trafficking in adults and children. Although the law is sufficiently broad and the penalties sufficiently stringent, adult sex trafficking does not carry a penalty that is commensurate with the penalties imposed for other serious crimes. The law prescribes penalties of a maximum of 14 years' imprisonment, and in cases involving children or aggravating circumstances, a maximum of 25 years' imprisonment; these penalties are sufficiently stringent. The penalties for child trafficking are commensurate with those for other serious crimes, such as rape, but the penalties for adult sex trafficking are not. Elements of human trafficking are also prohibited under a variety of other statutes, including Section 259 of the penal code prohibiting slavery and Section 251 of the penal code prohibiting forced labor; the government prosecutes some human trafficking cases under these laws. Although all forms of child prostitution are prohibited under the anti-trafficking law, enforcement of this prohibition may be hampered by unclear and conflicting statutes in other areas of the penal code which do not clearly define the ages of consent and legal majority, creating confusion between the traditionally understood age of consent (15 years of age) and the legal age of majority (18 years of age). The government did not prosecute or convict any trafficking offenders during the reporting period. The government opened three investigations of potential trafficking cases; however, ultimately the investigations revealed they were not trafficking. Law enforcement officials lacked sufficient training to effectively investigate trafficking cases; however, 25 law enforcement officers participated in awareness, raising and capacity, building activities provided by the government, in collaboration with international donors. The government did not report any investigations,

prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government demonstrated minimal efforts to identify and protect victims. It did not identify or provide protective services to any trafficking victims. There are no shelters or protective services specifically for trafficking victims in the country. The Department of Social Affairs provided counseling to women in prostitution, some of whom may have been victims of forced prostitution. The national anti-trafficking committee began the development of a victim assistance tool, which will include standard operating procedures and victim identification and referral mechanisms; the tool was not finalized at the end of the reporting period. There were no reports of victims being penalized for unlawful acts committed as a result of being trafficked; however, the lack of formal identification procedures likely resulted in some victims remaining unidentified in the law enforcement system. Additionally, migrant workers who strike are considered to be in breach of their work contracts and can be deported at the will of their employers. Several migrant workers who gathered to protest a variety of abuses relating to their employment were deported during the reporting period; these deportations took place without conducting comprehensive investigations or screenings to identify if the individuals were victims of forced labor.

## PREVENTION

The government increased prevention efforts. The national anti-trafficking committee served as a coordinating body for collaboration and communication on trafficking matters; the committee met regularly during the reporting period, but did not receive a dedicated budget and relied on ad hoc funding from various government agencies. As a result, the implementation of the 2014-2015 national action plan was slow and many activities remained in early planning stages. The government conducted a two-month nationwide media campaign to raise awareness on trafficking; the campaign was funded by an international organization. As part of this campaign, the Ministry of Home Affairs and Transport developed a website to educate the general public on how to identify and report trafficking offenses. The Ministry of Labor and Human Resource Development employed 11 labor inspectors responsible for conducting inspections of all workplaces in the country and one labor officer assigned to inform all migrant workers of their employment rights; government officials acknowledged this number was inadequate and inspectors lacked basic resources to perform their duties adequately. Despite several complaints by migrant workers, primarily in the construction sector, about poor working conditions, nonpayment of salaries, and

retention of passports, the government has never identified a case of forced labor in the country. The government made no discernible efforts to decrease the demand for commercial sex acts or forced labor during the reporting period. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.